

PROCLAMATION

BY THE

Governor of the State of Texas

41-909

REPRODUCED FROM THE
HOLDINGS OF THE
TEXAS STATE ARCHIVES

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I am vetoing and filing with the Secretary of State Senate Bill Number 452 of the Regular Session, Fifty-seventh Legislature. My objections to the bill are as follows:

1. According to the Texas Municipal Retirement Board, the bill proposes to grant a pension on retroactive standards which only one person is known to meet. The bill proposes to amend the act governing the Texas Municipal Retirement System by inserting a complex formula as an exception to the general rule by which eligibility for service retirement benefits is determined. The circumstances stated in the bill are so unusual that it is highly doubtful that any person would hereafter qualify for benefits under its provisions. For practical purposes, therefore, the bill has no future operative force in that none of the more than 14,000 members of the System is likely to satisfy the set of circumstances which the bill describes.

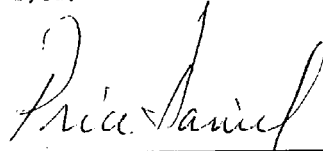
The bill proposes to operate retroactively so as to grant a pension to any person who, on January 1, 1959, would have qualified for a pension under its very exceptional provisions, had the bill been in force on that date. Only one person is known to qualify even under this provision of the bill.

2. Paragraph (2) of the proposed new subsection 8, assuming to make the stated conditions operative on January 1, 1959, does not require of the person affected by its provisions any future or additional service as an employee of any member city of the System, but proposes to grant a pension based upon service performed and work completed more than two years before the enactment of the bill. Since the proposed pension is allowable entirely upon the basis of employment heretofore completed, after termination of the employment relationship, the bill in my opinion violates Sections 52 and 53 of Article III of the Constitution of Texas,

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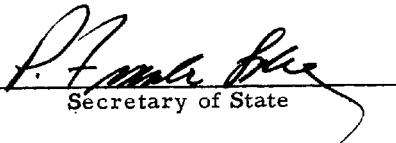
Legislature, and in accordance with the Constitution, the bill, together with this Proclamation, is being filed with the Secretary of State.

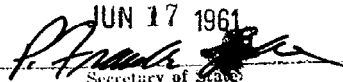
IN TESTIMONY WHEREOF, I
have hereunto signed my name
officially and caused the Seal
of State to be affixed hereto at
Austin, this the 17th day of June,
A. D., 1961.



Governor of Texas

By the Governor:


Secretary of State

SECRETARY OF STATE
7:30 PM 06/17/61
JUN 17 1961

Secretary of State